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Re: Reconciliation as directed in Public Law 103-150. ("Congress Expresses its commitment to provide proper foundation for reconciliation between the United States and the native people of Hawaii for the overthrow of the Kingdom of Hawaii")

What needs to come to the forefront in the discussions on reconciliation is the issue of the treaties that were broken in violation of Article VI. of the U.S. Constitution. In order for reconciliation to be tenable under (Public Law 103-150-the Resolution of Congress), the reconciliation process itself must be carefully outlined and tested against the principles that govern redress for high crimes such as are documented in the Resolution. In this situation we are dealing not just with the ramifications to the victim as the Resolution implies should be Acknowledged, but equally significant are the parties implicated in the resolution for treason against the U.S.. Although the resolution does not deal with this directly, it must be taken up by Congress on both fronts. First Congress must re-establish the rule of law, by directly applying the rule of law to the Apology Resolution, thus re-establishing and re-enforcing the lawful and duly constituted process whereby redress for violations can be successfully adjudicated.

Northwest Ordinance and the Enabling Act established by Congress on April 30, 1902, gives us that process.

The reconciliation process must be addressed within the "framework of Federal Law", in terms of the legal philosophy that governs the United States Constitution. By approaching the issue of reconciliation in this manner we are aiming at justice primarily, reconciliation being the result of justice applied evenly or lawfully.

How would the founding fathers address the so called process of reconciliation? How would they have mitigated the issue of broken treaties (Article VI) etc.?

I believe they would have considered not just what justice meant for the victim, in this instance its the Hawaiian people and government, but what has happened to the legal system as a direct result of the way the ordeal was handled

by Americans.

I believe they would have called these acts CRIMINAL on two fronts. First they would have cited the particular laws which govern treaty making policies of the U.S., thus re-affirming the long tradition of American concept of the rule of law-that the officers of government are always subject to the law and prohibited from exercising arbitrary authority over anyone. They would have viewed the Overthrow and the activity of the Americans in Hawaii as treason towards the U.S. itself! Whereas the parties acting with contempt for law bring reproach to itself and turn the legal system on its head. They would have prosecuted all parties implicated in high crimes based on the Northwest Ordinance (Enabling Act) under the Articles of Confederation in addition to the supremacy clause of the U.S. Constitution. And finally they would have cited the Ten Commandments, "thou shalt not steal, thou shalt not bear false witness against thy neighbor, and thou shalt not covet thy neighbors (Land) House!

Ultimately they would have restored the Monarchy and compensated the Hawaiian people and government for their losses. They would have used every tool available to lobby congress and re-affirm the rule of law in dealing with high crimes by U.S. officials against other countries, thereby protecting the integrity of the courts of law in the U.S..

They would have disparaged the High Courts for dealing with this problem lawlessly and in full contempt of the Habeas Corpus act of 1863.

Finally they would point out the contradiction that exists in the "Resolution" (Public Law 103-150). That after extensive documentation of "acts of War against the Kingdom and people of Hawaii", that congress presumes the people and lawful government of Hawaii have already forgiven the U.S. and remain willing to abandon the legal recourse afforded them by law. No treaty can be re-negotiated on behalf of the hawaiian people without full hearings dealing with the matter of redress for violations of treaties already documented in the Resolution.

If the reconciliation process is designed to prevent any claims Hawaii has against the U.S., a revolution has occurred, justice has been denied, and these discussions on reconciliation have served the political interests of those who are driving the revolution to its conclusion.

The point is that if the issues that are outstanding are dealt with unlawfully, and in violation of the constitution of the United States, reconciliation efforts serve only to obscure the constitutional remedies and advance the idea that arbitrary acts against lawful governments are normal and necessary, thus creating new exceptions to the rule!

Until now there are no footnotes at the bottom of the U.S. Constitution that says Congress can be by-passed in determining war with other countries, that the rule of law applies except when american businessmen deem it necessary to achieve political and economic ends.

Historically, the rule of law has been the governing principle in determining justice, and it has served to preserve peace and promote justice abroad. All treaties entered into by the U.S. were to be stipulated and certain conditions where imperative in negotiating the union between two countries. The U.S. was never to be involved in an intangealing alliance and treaties where never to be taken lightly. The treaties are the countries safe-guard against political culpability and war (invasion).

The central nerve of the reconciliations process are the broken treaties. Treaties where drawn up in order to protect the party (ies) from dispossession and exploitation. Treaties where meant to give full recourse to the injured party and lawful compensation for high crimes.

Our recourse as Hawaiian subjects will be to map out our reconstruction and redress in terms of what the rule of law has meant historically to the republic and the legal philosophy embodied in the U.S. Constitution. If the American people expect liberty and justice from their own government, so too must they be prepared to establish the rule of law as the basis for making treaties with other countries. In other words it is not just Hawaii that has been harmed by the lawlessness but the american people themselves who are at risk of being defrauded by their own government if these kinds of lawless acts are permitted to go unchallenged by law.

#### Conclusion:

If the U.S. is really interested in justice, it would support congressional legislation mandating the U.S. and state Governments STOP BREAKING THE TREATIES! Applying the rule of law directly to the process even as they would expect as

grounds for establishing good will with any foreign country.  
By using this formula we are able to address the issue of redress  
reconciliation in the proper context. Anything more will  
only compound the criminality of these historical events and  
set a precedence in the international arena for crime.

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